

**United States District Court
Northern District of New York**

| | | |
|----------------------------|---|---|
| Michelle Marie Flower, |) | Case 5:20-cv-01004-BKS-DJS |
| <i>Plaintiff,</i> |) | |
| |) | Brenda K. Sannes |
| vs. |) | United States District Judge |
| |) | |
| Andrew Saul, |) | Daniel J. Stewart |
| Commissioner of the Social |) | United States Magistrate Judge |
| Security Administration |) | |
| <i>Defendant.</i> |) | Stipulation – Document Filed Electronically |

Parties' Stipulation for Remand

The parties stipulate that the Commissioner's final decision be reversed and that this action be remanded to the Commissioner for further administrative proceedings pursuant to the fourth sentence of 42 U.S.C. § 405(g). On remand, the Administrative Law Judge ("ALJ") will offer Plaintiff the opportunity for a new hearing, re-evaluate her subjective complaints, re-determine her residual functional capacity, and issue a new decision.

The parties consent to the entry of judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

Respectfully Submitted,

Andrew Saul,

By His Attorneys

Antoinette Bacon,
Acting United States Attorney

Michelle Marie Flowers

By Her Attorney

/s/ Lisa G. Smoller

Lisa G. Smoller
Special Assistant United States Attorney
N.D.N.Y. Bar Roll No. 700999
Social Security Administration
Office of the General Counsel
J.F.K. Federal Building, Room 625
Boston, MA 02203
(617) 565-4279
Lisa.g.smoller@ssa.gov

/s/ Howard D. Olinsky¹

Howard D. Olinsky
Olinsky Law Group
300 S. State Street, Suite 420
Syracuse, NY 13202
(315) 701-5780
holinsky@windisability.com

IT IS SO ORDERED:

Brenda K. Sannes

Brenda K. Sannes
U.S. District Judge

Dated: April 22, 2021

Syracuse, NY

¹ Signed by Lisa Smoller with Howard Olinsky's permission.